

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office

March 13, 1997

LB 404

SENATOR BEUTLER: Senator Withem, members of the Legislature, I passed out a handout to you, and if you don't listen to anything else in this debate, I hope you'll follow with me through this handout. I haven't recreated and updated all the materials I had on this subject over the last five or six years, but I did update this one piece because I think that it...that it irrefutably illustrates to you what the situation is in one district, and from that, I would assert to you that there are really three judgeships across the state that are indefensible. All the other ones are defensible. And this doesn't represent the kind of thing where there's going to be a continual taking of judges from the countryside. There are three judgeships that are indefensible. Two of them are a part of this bill, and let me describe one of them for you. I didn't have time to reconstruct my materials on both, but this has to do with the 12th District, Panhandle District, district judge, and if you look at the map in front of you to start with, what we're talking about in this example is District 12, and what I would like to do is to compare District 12 to District 11. Do you see District 11 down there on the map, southwest Nebraska? Kind of glance at the relative sizes of those districts. Now turn to the backside of that map, and let's compare District 11 and District 12. First of all, number of counties, District 12 or District 11 is larger. It has 17 counties compared to 12 counties, and that's significant because that means the judges have to go to different additional sites, and so in terms of distances traveled, District 11 is a more difficult district to deal with than District 12. Okay, got that? Now look at the geographic area. District 11 is also larger than District 12. Again, this kind of reasserts the fact that distances traveled will be greater in 11 than in 12. Look at population, District 11 also has 10,000 more people, more or less, which generally means they will probably have a larger caseload, especially the caseloads are comparable out in that area because those are relatively the same kinds of communities. Then if you look at the number of cases disposed of last year, you will see that District 12 disposed of slightly more cases than District 11, notwithstanding that they have fewer people, which indicates that it's a very litigious district to begin with. And how many judges now? There's the work load. The work load in District 11, 2,889 cases, the work load in District 12, 3,492